



this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. § 1391(b).

Under this rubric, venue does not exist in the District of Massachusetts. All the alleged misconduct occurred in New Hampshire, all the defendants reside in New Hampshire, and the criminal procedure against Holloway is proceeding in New Hampshire.

Rather than dismiss the action, the Court will transfer it to the District of New Hampshire, where venue exists. See 28 U.S.C. § 1404(a) ("For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district court . . . where it might have been brought . . ."); see also In re Ryze Claims Sols., LLC, 968 F.3d 701, 706 n.5 (7th Cir. 2020) (district court may sua sponte order transfer under 28 U.S.C. § 1404(a)); Danziger & De Llano, LLP v. Morgan Verkamp LLC, 948 F.3d 124, 132 (3d Cir. 2020) (same); Get In Shape Franchise, Inc. v. TFL Fishers, LLC, 167 F. Supp. 3d 173, 204 (D. Mass. 2016) (same).

Accordingly, for the reasons set forth above, the Court orders that this action be TRANSFERRED to the Federal District Court for the District of New Hampshire. The Court leaves to the transferee court consideration of the plaintiff's motion for leave to proceed in forma pauperis.

SO ORDERED.

/s/ Leo T. Sorokin  
UNITED STATES DISTRICT JUDGE